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GENERAL ASSEMBLY
Fifty-third session
Item 33 of the preliminary list*
SUPPORT BY THE UNITED NATIONS SYSTEM
OF THE EFFORTS OF GOVERNMENTS TO
PROMOTE AND CONSOLIDATE NEW OR
RESTORED DEMOCRACIES

SECURITY COUNCIL
Fifty-third year

Letter dated 27 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the Declaration of the National Assembly of the Republic of Serbia dated 24 March 1998.

I would be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 33 of the preliminary list, and of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

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ANNEX

Declaration of the National Assembly of the Republic of Serbia, issued at Belgrade on 24 March 1998

Proceeding from the need to unite all the human, material and spiritual resources for the well-being of Serbia and its citizens, committed to development based on the principles of freedom, democracy, justice, equality and solidarity, the National Assembly of the Republic of Serbia, at its session of 24 March 1998, has adopted the following

DECLARATION ON NATIONAL UNITY

1. The responsibility for the realization of vital national and state interests, for both the present and the future of Serbia, imposes an obligation of national unity vis-à-vis the fundamental needs of the State and the people. To all, regardless of party or any other affiliation, Serbia and the well-being of its people and citizens should be the common concern and the highest priority. As historical circumstances have in the past caused the Serbian people to be divided, the present time requires harmony and unity.

Serbia needs harmony and unity. Therefore, aware of our responsibilities, the demands of the time and the expectations of the people and the citizens for the development and progress of Serbia in peace, we consign all the divisions of the past to history.

The universal principles of freedom, justice and democracy are the foundations of a stable and strong State and represent the firmest bulwark against division. The symbols and holidays of our State shall be the symbols and dates which are rooted in our State and national tradition, which unite us in our patriotism and our loyalty to the State and the people.

2. The history of our people is composed of the struggle for freedom and independence. We are rightfully proud of it. Therefore, we shall always defend our freedom and ensure the independence of our State.

The Serbian nation has never based, nor will it ever base, its rights upon the denial of the rights of others, but shall never agree to endangerment of the rights of the Serbian people, or of the sovereignty and territorial integrity of Serbia, by anyone.

3. We resolutely reject all attempts at ideological, religious or national exclusivity and selfishness. While respecting the human rights, freedoms and rights of representatives of national minorities living in Serbia, in accordance with the highest international standards, we shall at the same time protect the civil and national rights and the welfare of our people.

4. We commit ourselves to further developing and strengthening the democratic system through competition in knowledge, hard work and party platforms to the common benefit of Serbia and its citizens. Political differences must not be an

obstacle to rapid development and reforms, but rather an encouragement in the quest for the best solutions in ordering the State on the principles of a market economy, parliamentary democracy, the full affirmation and realization of human and civil rights and freedoms.

5. Serbia and Montenegro are two names for the same root, historical aspiration and destiny. There has never been, nor will there ever be, a younger and an older one. That is why Serbia and Montenegro, along with Republika Srpska, are not only the cornerstones of national unity, but also the expression of the will of the people to gather together all of what historically, politically, economically, spiritually, ethnically, culturally and in every other respect cannot be separated and, in particular, not confronted.

The Federal Republic of Yugoslavia is the expression of the State and the most comprehensive confirmation of national unity.

6. United on the goals of all-round progress of the people and the State, we wish and want the Republic of Serbia and the Federal Republic of Yugoslavia to be the steadiest mainstay of peace and cooperation with our neighbours and an equal and respected member of the European and international community of nations and States.

Today, more than ever before, our fate is in our hands and by this Declaration we confirm that we are capable of shouldering it successfully. These are decisions which concern our future. Our vision of Serbia is one of a modern, democratic, economically and culturally developed State, respected by everyone.

A democratic and strong Serbia, as guarantor of the democratic, stable and strong Federal Republic of Yugoslavia, represents our lasting commitment.

These times and the state and national goals demand that all political parties and all other actors make decisions which will unite, engage and direct the national strength towards the progress of Serbia and towards the well-being of everyone in Serbia.

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France, Germany, Italy, Japan, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Noting with appreciation the statements of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 9 and 25 March 1998 (S/1998/223 and S/1998/272), including the proposal on a comprehensive arms embargo on the Federal Republic of Yugoslavia, including Kosovo,

Welcoming the decision of the Special Session of the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) of 11 March 1998 (S/1998/246),

Condemning the use of excessive force by Serbian police forces against civilians and peaceful demonstrators in Kosovo, as well as all acts of terrorism by the Kosovo Liberation Army or any other group or individual and all external support for terrorist activity in Kosovo, including finance, arms and training,

Noting the declaration of 18 March 1998 by the President of the Republic of Serbia on the political process in Kosovo and Metohija (S/1998/250),

Noting also the clear commitment of senior representatives of the Kosovar Albanian community to non-violence,

Noting that there has been some progress in implementing the actions indicated in the Contact Group statement of 9 March 1998, but stressing that further progress is required,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Acting under Chapter VII of the Charter of the United Nations,

1. Calls upon the Federal Republic of Yugoslavia immediately to take the further necessary steps to achieve a political solution to the issue of Kosovo

through dialogue and to implement the actions indicated in the Contact Group statements of 9 and 25 March 1998;

2. Calls also upon the Kosovar Albanian leadership to condemn all terrorist action, and emphasizes that all elements in the Kosovar Albanian community should pursue their goals by peaceful means only;

3. Underlines that the way to defeat violence and terrorism in Kosovo is for the authorities in Belgrade to offer the Kosovar Albanian community a genuine political process;

4. Calls upon the authorities in Belgrade and the leadership of the Kosovar Albanian community urgently to enter without preconditions into a meaningful dialogue on political status issues, and notes the readiness of the Contact Group to facilitate such a dialogue;

5. Agrees, without prejudging the outcome of that dialogue, with the proposal in the Contact Group statements of 9 and 25 March 1998 that the principles for a solution of the Kosovo problem should be based on the territorial integrity of the Federal Republic of Yugoslavia and should be in accordance with OSCE standards, including those set out in the Helsinki Final Act of the Conference on Security and Cooperation in Europe of 1975, and the Charter of the United Nations, and that such a solution must also take into account the rights of the Kosovar Albanians and all who live in Kosovo, and expresses its support for an enhanced status for Kosovo which would include a substantially greater degree of autonomy and meaningful self-administration;

6. Welcomes the signature on 23 March 1998 of an agreement on measures to implement the 1996 Education Agreement, calls upon all parties to ensure that its implementation proceeds smoothly and without delay according to the agreed timetable and expresses its readiness to consider measures if either party blocks implementation;

7. Expresses its support for the efforts of the OSCE for a peaceful resolution of the crisis in Kosovo, including through the Personal Representative of the Chairman-in-Office for the Federal Republic of Yugoslavia, who is also the Special Representative of the European Union, and the return of the OSCE long-term missions;

8. Decides that all States shall, for the purposes of fostering peace and stability in Kosovo, prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, by their nationals or from their territories or using their flag vessels and aircraft, of arms and related matériel of all types, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned, and shall prevent arming and training for terrorist activities there;

9. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States information regarding the action taken by them concerning the effective implementation of the prohibitions imposed by this resolution;

(b) to consider any information brought to its attention by any State concerning violations of the prohibitions imposed by this resolution and to recommend appropriate measures in response thereto;

(c) to make periodic reports to the Security Council on information submitted to it regarding alleged violations of the prohibitions imposed by this resolution;

(d) to promulgate such guidelines as may be necessary to facilitate the implementation of the prohibitions imposed by this resolution;

(e) to examine the reports submitted pursuant to paragraph 12 below;

10. Calls upon all States and all international and regional organizations to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any license or permit granted prior to the entry into force of the prohibitions imposed by this resolution, and stresses in this context the importance of continuing implementation of the Agreement on Subregional Arms Control signed in Florence on 14 June 1996;

11. Requests the Secretary-General to provide all necessary assistance to the committee established by paragraph 9 above and to make the necessary arrangements in the Secretariat for this purpose;

12. Requests States to report to the committee established by paragraph 9 above within 30 days of adoption of this resolution on the steps they have taken to give effect to the prohibitions imposed by this resolution;

13. Invites the OSCE to keep the Secretary-General informed on the situation in Kosovo and on measures taken by that organization in this regard;

14. Requests the Secretary-General to keep the Council regularly informed and to report on the situation in Kosovo and the implementation of this resolution no later than 30 days following the adoption of this resolution and every 30 days thereafter;

15. Further requests that the Secretary-General, in consultation with appropriate regional organizations, include in his first report recommendations for the establishment of a comprehensive regime to monitor the implementation of the prohibitions imposed by this resolution, and calls upon all States, in particular neighbouring States, to extend full cooperation in this regard;

16. Decides to review the situation on the basis of the reports of the Secretary-General, which will take into account the assessments of, inter alia, the Contact Group, the OSCE and the European Union, and decides also to reconsider the prohibitions imposed by this resolution, including action to

terminate them, following receipt of the assessment of the Secretary-General that the Government of the Federal Republic of Yugoslavia, cooperating in a constructive manner with the Contact Group, have:

(a) begun a substantive dialogue in accordance with paragraph 4 above, including the participation of an outside representative or representatives, unless any failure to do so is not because of the position of the Federal Republic of Yugoslavia or Serbian authorities;

(b) withdrawn the special police units and ceased action by the security forces affecting the civilian population;

(c) allowed access to Kosovo by humanitarian organizations as well as representatives of Contact Group and other embassies;

(d) accepted a mission by the Personal Representative of the OSCE Chairman-in-Office for the Federal Republic of Yugoslavia that would include a new and specific mandate for addressing the problems in Kosovo, as well as the return of the OSCE long-term missions;

(e) facilitated a mission to Kosovo by the United Nations High Commissioner for Human Rights;

17. Urges the Office of the Prosecutor of the International Tribunal established pursuant to resolution 827 (1993) of 25 May 1993 to begin gathering information related to the violence in Kosovo that may fall within its jurisdiction, and notes that the authorities of the Federal Republic of Yugoslavia have an obligation to cooperate with the Tribunal and that the Contact Group countries will make available to the Tribunal substantiated relevant information in their possession;

18. Affirms that concrete progress to resolve the serious political and human rights issues in Kosovo will improve the international position of the Federal Republic of Yugoslavia and prospects for normalization of its international relationships and full participation in international institutions;

19. Emphasizes that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo will lead to the consideration of additional measures;

20. Decides to remain seized of the matter.

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LETTER DATED 30 MARCH 1998 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon the instructions of my Government, I am writing to convey the legitimate concern and resentment of the Government of the Federal Republic of Yugoslavia at the efforts of the Security Council to adopt, contrary to the Charter of the United Nations, a resolution seeking to punish, without legal basis and justification, the Federal Republic of Yugoslavia because of the situation in Kosovo and Metohija, the southern province of the Yugoslav Republic of Serbia.

The Federal Republic of Yugoslavia and the Republic of Serbia are firmly against the inclusion of Kosovo and Metohija, which is an internal matter of the Republic of Serbia, on the agenda of the Security Council of the United Nations. They have never given, nor will they give, their consent to having an internal matter considered by the Security Council.

The realization of the rights of national minorities is the subject of international cooperation. The Federal Republic of Yugoslavia and the Republic of Serbia have never rejected dialogue and cooperation on the basis of the Charter of the United Nations and the relevant documents of the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe. However, the organization of internal political relations falls within the exclusive jurisdiction of the Member States of the United Nations. It is therefore unacceptable that the situation in Kosovo and Metohija should be the subject of deliberation in the Security Council without the prior consent of the Federal Republic of Yugoslavia, that is, the Republic of Serbia.

The key problem in Kosovo and Metohija is rooted in the continued years-long separatist policy of a part of the Albanian national minority, aiding and abetting terrorism, which has been particularly evident in the last couple of months. Despite the clear position of the international community against Kosovo and Metohija's secession from the Republic of Serbia and the Federal Republic of Yugoslavia, the leaders of the political parties of the Albanian national minority publicly advocate the secession of Kosovo and Metohija from the Republic of Serbia and the Federal Republic of Yugoslavia. In doing so,

they have threatened the territorial integrity and sovereignty of the Republic of Serbia and the Federal Republic of Yugoslavia.

The frequent terrorist attacks in Kosovo and Metohija in recent years, which have claimed the lives of dozens of civilians of all nationalities and religions, as well as elected representatives and 17 police officers, have made it incumbent on the authorities of the Republic of Serbia to take appropriate action.

The police forces of the Republic of Serbia took legitimate action against the activities of the terrorist organization, the "Liberation Army of Kosovo". On 28 February and 5 March 1998, they carried out actions of limited proportions against a terrorist stronghold in the area of Drenica. These anti-terrorist actions cannot be qualified as a threat to international peace and security. Possible excesses in the exercise of police authority, into which an official inquiry has been ordered, cannot bring into question the fundamental legitimacy of the police in protecting the State and Constitution and the territorial integrity of the Republic of Serbia and the Federal Republic of Yugoslavia, as well as the safety of all citizens in Kosovo and Metohija.

The Yugoslav Government is dismayed that no distinction in the draft resolution has been made between terrorists and the authorities engaged in the legitimate fight against terrorism. Moreover, as evinced by the proposed resolution, the legitimate police action is condemned primarily and in much stronger terms than the acts of the terrorists. The cause is replaced by the consequence, which in practice encourages terrorism.

The situation in Kosovo and Metohija is stable and under full control. There is no danger from an alleged spillover into neighbouring countries. Consequently, there is no legal basis or justification for the involvement of the Security Council.

The situation in Kosovo and Metohija is being deliberately dramatized and the contention about an alleged threat to international peace and security is aggressively propounded so as to obtain a pretext for invoking Chapter VII of the Charter of the United Nations.

The Security Council is not consistent in treating terrorist activities equally in different countries. The pursuit of double standards does not contribute to the solution of the problems in Kosovo and Metohija by peaceful means, but brings into question the credibility of the Council.

The basic principles of international relations guarantee every State the right to solve its internal matters free of foreign interference. For the Governments of the Republic of Serbia and the Federal Republic of Yugoslavia, Kosovo and Metohija is an internal question par excellence.

The Constitution of the Federal Republic of Yugoslavia, as well as the Constitutions of Serbia and Montenegro, guarantee all their citizens, including the members of all the 27 national minorities, full equality and the protection of their civil and human rights. The Province of Kosovo and Metohija, as well

as the Province of Vojvodina, enjoy territorial autonomy within the Republic of Serbia. National minorities also enjoy full cultural autonomy.

Unlike the members of other national minorities, the members of the Albanian national minority, under the pressure of their separatist leaders, have been boycotting their constitutional rights. In so doing, they have been avoiding their obligations as loyal citizens of the country in which they live.

The Governments of the Republic of Serbia and the Federal Republic of Yugoslavia are prepared to promote human and minority rights in Kosovo and Metohija within the constitutional and legal system, in accordance with the highest international standards. In this regard, they have opened a broad process for a constructive political solution of all issues related to human and minority rights in Kosovo and Metohija.

The Yugoslav side has responded positively to all the requests of the Ministerial Meeting of the Contact Group, held in London on 9 March 1998, even though the Contact Group had no formal mandate to consider the question of Kosovo and Metohija. It has initiated the following measures:

- Mr. Milan Milutinović, the President of the Republic of Serbia, in his Declaration of 18 March 1998, invited the representatives of the Government of Serbia and the Albanian political parties in Kosovo and Metohija to commence an unconditional dialogue, which would include self-government of Kosovo and Metohija within Serbia, in accordance with the Charter of the United Nations and the relevant documents of OSCE and the Council of Europe. The Government of Serbia has designated its delegation to participate in the talks;

- The Government of Serbia signed the Agreed Measures for the Implementation of the Agreement on Education, of 1996. The resumption of the work of the Albanology Institute of Priština University represents one more important step towards the normalization of education for the Albanian national minority in Kosovo and Metohija;

- The Government of the Republic of Serbia has opened an official inquiry into the alleged excessive use of force by the police during its actions in the area of Drenica;

- The Government of the Republic of Serbia extended an official invitation to the International Committee of the Red Cross (ICRC) to send an ad hoc expert team of pathologists that would help establish the facts relative to the said anti-terrorist police action. After ICRC declared itself not competent in the case at hand, the Government of the Republic of Serbia extended invitations to a number of countries to send their experts to carry out a professional and impartial investigation;

- Proceeding from the fact that the situation in Kosovo and Metohija is stable, the members of the special anti-terrorist units with their equipment were withdrawn to outside Kosovo and Metohija upon completion of the anti-terrorist action in the area of Drenica;

- Representatives of the United Nations Centre for Human Rights have regularly been granted Yugoslav visas;

- The Federal Republic of Yugoslavia is cooperating fully with the United Nations High Commissioner for Human Rights and the Office in Belgrade is functioning normally;

- Full freedom of movement was restored in Kosovo and Metohija soon after the police action in the area of Drenica and its territory has been open to informative visits by diplomats and foreign delegations. Over 300 foreign journalists have since been reporting from the Province;

- ICRC and other international organizations, in particular humanitarian ones, are present in Kosovo and Metohija.

As a result of the latest actions of the Yugoslav side, a qualitatively new climate has been created, conducive to overcoming all outstanding questions by political means through dialogue.

Conversely, the representatives of the political parties of the Albanian national minority have not only remained static, but gone further in their secessionist aspirations:

- They have not so far responded positively to the invitation of the Government of the Republic of Serbia;

- They have continuously been reaffirming that secessionism is their only goal;

- So far they have not publicly condemned terrorism in Kosovo and Metohija;

- They have engaged in procrastination and condition-making tactics, insisting on foreign mediation and on increasing pressure on the Federal Republic of Yugoslavia and the Republic of Serbia.

In contrast to the negative attitude of the representatives of the Albanian national minority, the representatives of all other national minorities living in Kosovo and Metohija have responded positively to the invitation of the Government of the Republic of Serbia. As far as the Governments of the Republic of Serbia and the Federal Republic of Yugoslavia are concerned, the dialogue on questions of interest for the equality of all citizens of Kosovo and Metohija may commence immediately.

It is not logical and it is not politically acceptable that the side which initiated a positive process, and has done the utmost to make that process proceed successfully and meaningfully, is put in the dock and is subjected to new accusations and even sanctions. In contrast, the other side, which insists on illegal secessionist goals, refuses to distance itself publicly from terrorism and flouts dialogue, is rewarded and given every cause to believe that its policy is internationally supported.

Bearing all that in mind, the Federal Republic of Yugoslavia is convinced that there is no legal basis or justification for the adoption of any resolution by the Security Council that would bear as a pretext "the situation in Kosovo and Metohija". Proceeding from its sovereign rights and consistent respect for the Charter of the United Nations, the Federal Republic of Yugoslavia rightly expects that the Security Council will discontinue further action vis-à-vis such a resolution. Chance should be given to dialogue, for which two sides are needed.

Any action in the Security Council relative to the consideration and possible adoption of a resolution against the Federal Republic of Yugoslavia would only encourage the leaders of the Albanian national minority in Kosovo and Metohija to persevere in their policy of separatism. They should enter into dialogue without any preconditions.

Instead of preventing terrorism and separatism, the adoption of the proposed draft resolution by the Security Council would have a counter-productive effect on the political process aimed at solving current problems in Kosovo and Metohija. This resolution, if adopted, would furthermore have far-reaching negative consequences not only for the Republic of Serbia and the Federal Republic of Yugoslavia, but for the region at large. It would bring into question the sovereignty of a State, which is the basic principal of international relations and guarantees the equality of all Member States of the United Nations, and create a dangerous precedent that would affect all, particularly smaller countries.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

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GENERAL ASSEMBLY
Fifty-second session
Agenda item 11
REPORT OF THE SECURITY COUNCIL

SECURITY COUNCIL
Fifty-third year

Letter dated 27 March 1998 from the Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General

I have the honour to enclose the assessment of the work of the Security Council for the month of December 1997 under the presidency of Costa Rica, in accordance with the agreement contained in the note by the President of the Security Council of 12 June 1997 (S/1997/451), together with an introductory note.

This assessment has been made under my responsibility. It is intended to have an informative purpose and should not necessarily be considered as representing the views of the Security Council or of its members.

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 11, and of the Security Council.

(Signed) Fernando BERROCAL-SOTO
Ambassador, Permanent Representative

ANNEX

Letter dated 6 March 1998 from the Permanent Representative of Costa Rica to the United Nations addressed to all Permanent Representatives and Permanent Observers to the United Nations

I have the pleasure to enclose the assessment of the work of the Security Council for the month of December 1997, which my delegation has prepared under my responsibility in accordance with the note of the President of the Security Council of 12 June 1997 (S/1997/451).

Please note that this document has not been agreed among Council members. The assessment of the work represents the views of the Costa Rican delegation while exercising the presidency of the Security Council for the month of December 1997 and not the views of the members of the Council.

My delegation is pleased that this practice has been adopted and that it has been followed by the majority of the members of the Council, making it a means of informing the entire membership of the United Nations about the activities the Security Council undertakes.

(Signed) Fernando BERROCAL-SOTO
Ambassador, Permanent Representative

APPENDIX

Introduction

This document contains the report prepared by the Delegation of Costa Rica while exercising the Presidency of the Security Council of the United Nations during the month of December 1997 and has been prepared under the responsibility of Ambassdor Fernando Berrocal-Soto, Permanent Representative of Costa Rica. This document should not be considered to represent the views of the Security Council nor of its Members.

During the month of December, the Council held nine formal meetings and an open debate on the situation in Bosnia and Herzegovina. The Minister of Foreign Affairs of Costa Rica, Dr. Fernando Naranjo Villalobos presided over the formal meeting and open debate on the situation in Bosnia and Herzegovina on December 19. During the Presidency of Costa Rica the Council adopted five resolutions and four presidential statements.

General Comments

The Presidency of Costa Rica endeavored to work on the basis of the principles of transparency and openness. In this regard, it followed the practice of adding, when possible, to the agenda of informal consultations published in the daily journal of the United Nations the issues to be taken up under the item of other matters. At the same time, it briefed the Delegations Members of the Organizations immediately after consultations of the Council had taken place. The President gave statements to the press after the informal consultations of the whole regarding the items taken up, as advised by the Members of the Security Council.

The Presidency of Costa Rica gave particular attention to the issue of "working methods of the Security Council" and included on agenda for December the holding of informal consultations of the whole on this matter. During that meeting, the elected members of the Security Council presented for the consideration of the Council a "position paper on the working methods of the Security Council" annexed to a letter, dated 22 of December 1997, which contains a series of comments and proposals for the democratization and improvement of the methods of work and desicion making in this principal organ of the United Nations.

It is the opinion of the Delegation of Costa Rica that this issue constitutes a key element in for the reform of the Security Council, which is being discussed in the Open-Ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council, of the General Assembly. Costa Rica considers that the reform of the methods of work of the Security Council and approval of its definitive rules of procedure constitutes a most important element of the process of reform of the Security Council. In this regard, the position paper prepared by the elected members of the Council, which is attached to this document, is of extreme importance.

Like in the previous months, African issues dominated the agenda of the Council. Some other issues of especial importance like the situation in Iraq, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Croatia, Cyprus, Afghanistan and Tajikistan were also subject of discussions.

1-Working Methods of the Security Council

On December 23, members of the Security Council met in informal consultations of the whole on the working methods of the Security Council and discussed the position paper prepared by ten of its member on that issue, which was annexed to a letter addressed to the President of the Security Council dated 22 December 1997. Some members stressed the fact the they were presenting only preliminary views.

Some members questioned the convenience of discussing this issue when it was being discussed both by the Open-Ended Working Group on the Reform of the Security Council and by the Charter Committee. They argued that it might be prudent to wait for a conclusion of the discussions that were being held at those other organs. Other members pointed out that the Security Council is the master of its own procedure and that, in consequence, it has the right and the obligation to consider any possible improvements to its methods of work.

Some of the authors of the proposal expressed that it was directed to improve the efficiency of the decision-making procedures of the Security Council and to increase the transparency and democracy in its action. It was mentioned that an improvement in the methods of work could increase the legitimacy and the leadership of the Security Council action before the International Community. Those members further explained that there are loopholes in the current provisional rules of procedure and that it is necessary to respect fully both the letter and the spirit of the provisions of the Charter regarding the procedure of the Security Council. They also stressed the need to adopt definitive rules of procedure for the Security Council.

Some members recognized the importance of ensuring the proper balance between the goal of transparency and the need for efficiency in the working of the Security Council. In this regard, some members stressed that the delicate nature of the issues regarding international peace and security and the crisis circunstances that usually surround the items in the agenda of the Security Council require a particular degree of confidentiality and efficiency.

Some members also mentioned that some of the proposals included in the position paper were already in practice, while much of the success of the Security Council during the last years was due to the consensus procedure usually used according to which agreements are made confidenctially instead of having procedural disputes in formal meetings. Some members insisted that a realistic approach must be used in order to reform the working methods of the Security Council and that any reform of those procedures requires the agreement of all members.

Several members presented diverging views regarding the modalities for the participation of States non members of the Security Council and of Non Governmental Organizations in its work.

It was decided that the Informal Working Group of the Security Council concerning the Council's Documentation and Other Procedural Questions would continue to consider these issues.

2-AFRICA

Democratic Republic of the Congo

On December 3, Assistant Secretary General Fall briefed Council Members on the status of the investigative team. After overcoming the difficulties with the authorities in Kinshasa, the Secretary-General sent a letter to President Kabila expressing to him gratitude for receiving the team and for allowing them to perform their respective mandate. In his letter, the Secretary-General informed that, because of the delay in the deployment of the investigative team, its mandate needed to be extended until May 1998.

Regarding the current situation in the DRC, Mr. Fall added the Government of President Kabila had established a liaison committee to work with the investigative team and that a Conference of the Friends of the DRC was scheduled to take place in Brussels on the 4 of December. This

Conference was going to discuss further aid in the economic and social fields. The United Nations was going to be represented by the UNDP.
Regarding the political situation the Government was not allowing the participation of opposition political parties. The economic crisis was affecting the security situation in the DRC since there were no funds to pay civil servants.
The Delegations of the Council Members expressed their concern with the situation.

Rwanda
On December 8, the President of the International Tribunal, Mr. Laity Kama, was invited to address the Council Members during informal consultations of the whole.

Mr. Kama provided a brief history of the Tribunal and emphasized on the tribunal's need for additional resources and personnel in order to work effectively. He reminded the members that the Council, in resolution 955(1994) which established the Tribunal, decides to consider increasing the number of judges and Trial Chambers if it becomes neccesary. He added that, to that date, 23 persons had been indicted in Arusha and that, due to the cooperation of several states, a number high ranking officials had been captured and were awaiting trial.
Mr. Kama referred to his request for the creation of a new chamber and for hiring more personnel. He also mentioned the possibility of hiring ad-hoc judges, which that could be less expensive. At the time, two trials were taking place in the permanent chamber, and a third one was being held the provisional chamber. A second permanent chamber is scheduled to be constructed this year in order to hear three trials at the same time.
Mr. Kama made special emphasis to the problems regarding the protection of witnesses, necessary before, during and after the trial.
Delegations of the Council Members agreed to continue consultations for the consideration of this matter.

On December 15th, Assistant Secretary General Fall briefed Council Members on the massacre of 300 people in Mundede. Mr. Fall explained that the political situation in Rwanda needed to be taken into account. He pointed out that special attention should be given to the economic and social impact of the return of over a million refugees, many of whom bring arms with them, the fact that a minority composed of the 15% of the population rules over the majority, the tension between Rwanda and the Democratic Republic of the Congo, and the uncontrolled ethnic problem.
The President of the Council delivered a press statement expressing the members' concerns regarding the deterioration of the situation in Rwanda and urging the Government to respect Human Rights and to cooperate with the United Nations High Commissioner for Refugees.

Angola
On December 10th, Under Secretary General Miyet presented the report of the Secretary-General (S/1997/954).
Since the date when the report was issued, the Special Representative of the Secretary-General, Metre Beye, met with President Dos Santos to evaluate the progress of the peace process. The meeting between President Dos Santos and Mr. Savimbi had not been scheduled. The movement of MONUA's personnel continued to be restricted, and they faced problems in carryng out their mandate. MONUA continued to monitor the disarmament process and, on December 8, ended the demining process . The members of the Council agreed with the reccomendations of the Secretary-General and stressed that a dialogue between the parties needed to be established.

Central African Republic

On December 10th, Under Secretary General Miyet presented the report from the International Monitoring Committee (S/1997/954). He highlighted the most important points of that report and the success of preventive diplomacy. The problems of internal security needed to be solved in order to allow the implemetation of the Bangui agreements. The repatriation of refugees to the Republic of Congo had started. A multidisciplinary mission formed by technical officers from several UN departments had gone to the CAR a week before to evaluate the situation, especially in its military aspect. A follow up was going to be given by high level officers and leaders of the region and a final report was to be presented to the Council in January.

The President delivered a press statement urging the parties in CAR to comply with the Bangui Agreements and to cooperate with MISAB.

Burundi

On December 11th, the Members of the Security Council was briefed by Under Secretary-General Prendergast. He explained that the situation had been eased after the Dar-es-Salam Summit in September 1997 and that a new phase had began. Political tensions continued in the community as well as between the Parliament and the Government. The main concern at the time was the deterioration of the relations between Tanzania and Burundi.

The Arusha process was stalled and former President Nyerere, the head mediator, expressed that he will not continue his mediating efforts until Burundi was willing to cooperate. The Government of Burundi requested the establishment of an International Tribunal but this proposal was not been considered. In the meantime, trials and executions continue under the local judicial system.

The Secretary-General decided to send a fact finding mission to the border between Tanzania and Burundi. Burundi agreed to allow the mission to carry out their investiagations while Tanzania requested more clarification on its purpose.

The Department of Humanitarian Affairs sent a mission to investigate the impact of the regional sanctions on the population.

The Members of the Council expressed their concern for the impasse in the negotiation process.

The President made a statement to the press on this matter.

Sierra Leone

On December 11th, Under Secretary General Miyet presented the report of the Secretary-General (S/1997/958).

Mr.Miyet said that there were problems with the implementation of the military aspects of the Conakry Agreements and that, although there was a cease fire in place, the fighting continued, mainly between the RUF and the Kamajors.

The Special Envoy of the Secretary-General, Mr. Okello, was scheduled to meet in Abuja with the Foreign Minister of Nigeria, the Executive Secretary of the ECOWAS and with the Head of ECOMOG. He was also supposed to attend the meeting of the Committee of Five of ECOWAS in Lome.

In his report, the Secretary-General recommended opening an office in Freetown to cover the military, political and humanitarian problems and to work with all the parties.

The Security Council supported the recomendations of the Secretary-General and the work of the Special Envoy.

The President made a statement to the press on this issue.

Liberia

On December 15th, Assistant Secretary General Fall briefed the Council Members on the recent events in Liberia. He informed that the policy of reconciliation continued under the Government of President Taylor and that all political parties had occupied their seats in the legislative bodies. Many opposition leaders had been appointed to high level positions.

He also informed that there were tensions between the Government of Liberia and ECOWAS.

Mr. Fall indicated that the United Nations office was going to be open in 1998 and Mr. Felix Dorsen Thomas was appointed Representative of Secretary-General to Liberia.

The Council requested that the Secretariat provide a report of the impact of the situation in the region and the lifting of the arms embargo in Liberia.

Somalia

The Council Members received a briefing from the Secretariat, as well as from the Egyptian Permanent Representative, on the outcome of the Cairo Conference.

On December 23rd, the Council adopted a presidential statement (S/PRST/1997/57). The Council welcomed the agreements reached at the conference, as well as other efforts made by the countries of the region and international and regional organizations. It the same statement the Council also urged the parties to comply with the Cairo Accords, and reiterated its call upon States to fulfill their obligations to implement the general embargo imposed by resolution 733 (1992).

3-EUROPE

The Former Yugoslav Republic of Macedonia

On December 3rd, the Members of the Security Council discussed the report of the Secretary General (S/1997/911) and add.1. The Delegation of Portugal as a coordinator of the CCP introduced a draft resolution.

On December 4, the Security Council met in a formal meeting and adopted resolution 1142(1997) in which the Council extended the mandate of UNPREDEP for a final period until 31 August 1998.

Croatia

On December 4th, the Security Council Members examined the report of the Secretary General on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium, (S/1997/953).

Under Secretary General Miyet informed the Security Council Members of the Secretary General's recommendations on the establishment of a civilian component of 180 men after the mandate of UNTAES finished on January 15, 1998.

On December 19, the Security Council met in a formal meeting and adopted resolution 1145(1997) approving a new civilian component for a 9 months period beginning on January 16, 1998.

Bosnia and Herzegovina

On December 16th, the Security Council Members examined the report of the Secretary General on the United Nations Mission on Bosnia and Herzegovina, (S/1997/966).

Assistant Secretary General Annabi, explained the situation in the country and the recommendations of the Secretary-General. He highlighted two main issues: Judicial reform and financial crimes. He also indicated that the Bonn Conference on these issues had taken place.

Portugal as coordinator of the CCP prepared a draft resolution on the extention of the mandate of UNMIBH. During consultations, the Members of the Council decided to hold an open debate on this issue.
On December 18th, the Security Council met in a formal meeting and held an open debate on Bosnia and Herzegovina. After the general debate, the Security Council adopted resolution 1144(1997) approving the extention of UNMIBH for an additional 6 months period until June 21, 1998.

Cyprus
On December 2nd, Mr. Diego Cordovez, the Special Representantive of the Secretary General in Cyprus, briefed the Security Council Members on the current situation in Cyprus.
Mr. Cordovez informed the Security Council Members that on the five main issues to be discussed once the negotiations between the parties were to be resumed: the Constitution, security, territorial issues, displaced persons and properties, and economic and financial cooperation.
The Security Council Members also examined the report of the Secretary-General on the United Nations Operations in Cyprus (S/1997/962), and the report of the Secretary-General on his mission of good offices on Cyprus (S/1997/973).

On December 23rd, the Security Council adopted resolution 1146(1997) approving the extension of the mandate of UNFICYP for an additional 6 month period, until June 30, 1998.

4-MIDDLE EAST
Iraq
During December, the Security Council Members held 5 meetings of informal consultations of the whole on Iraq.

"Oil for Food"
The Secretary General submitted a report (S/1997/935) to the Council Members in which he recommended an extension of resolution 986(1995).
On December 4, the Secretary-General briefed the Council Members on this matter. Council members discussed a draft resolution on Iraq, considering the extension of resolution 986 (1995).
After informal consultations, the Members of the Council adopted a roll-over resolution 1143(1997), in which it decided to extend the mandate of the disposition of resolution 986 for an additional period of 180 days. The President of the Security Council made a press statement to the press following that meeting.

Special Commission (UNSCOM)

The Security Council paid close attention to the developments regarding the activities of the Special Commission and acted upon them.
On December 3, the Security Council adopted a presidential statement (S/PRST/1997/54) where it endorsed the conclusions and reccomendations of the report of the emergency session of the Special Commission aimed at full and expeditious implementation of the relevant resolutions and at increasing the efficiency and effectiveness of UNSCOM work to this end. It reiterated its demand for Iraq to fulfill all its obligations established under the relevant resolutions, cooperate fully with UNSCOM and the IAEA, and provide all the information requested by UNSCOM. Immediate and unrestricted access to all sites was again demanded. The members also welcomed the progress achieved by UNSCOM and the IAEA in some disarmament areas.

On December 8th, Council members were briefed by Ambassador Butler, Executive Chairman of UNSCOM, regarding his next visit to Baghdad. During the discussions, Council members expressed their appreciation for the efforts of the Special Commission and its Executive Chairman, and expressed their full support for its coming mission. The President made a statement to the press after the consultations.

On December 18th, once Ambassador Butler had returned from his trip to Baghdad, he presented a report on the outcome of his mission to Iraq. Ambassador Butler informed Council Members that he was planning his next visit to Baghdad on January 19. The delegations presented their comments and planned to hold further consultations. The President made a statement to the press after the consultations.

Ambassador Butler briefed the Council members again on December 20, regarding some talking points provided by the by the Permanent Representative of Iraq to the members of the Council on the progress of the conversations between UNSCOM and the Iraqi authorities, in response to Ambassador Butler's report.

On December 22nd, the Security Council adopted a presidential statement (S/PRST/1997/56), in which it reiterated its demands that Iraq should cooperate fully with the Special Commission in accordance with the relevant resolutions, and that Iraq should grant immediate and unconditional access to the Special Commission inspection teams. The Security Council stressed that failure by Iraq to provide this access is unacceptable. It acknowledge that discussions between the UNSCOM and the Iraqi officials were continuing on practical arrangements for implementation of all its relevant resolutions. It also expressed its full support to the Special Commission and its Executive Chairman, including the ongoing discussions with the Iraqi officials

5-ASIA

Afghanistan

On December 15th, 1997, during an informal meeting, the Special Representative of the Secretary-General, Mr. Brahimi, updated the Security Council Members on the situation in Afghanistan since the last report of the Secretary General was issued. He said that the Talibans continue to rule two thirds of the territory and there had been no changes in the military situation. He pointed out that it was expected that the winter would prevent the factions to engage in major fights. He said that there continue to be problems in the leadership, confrontation grew between the two main leaders (Dustom and Malik). A positive event was the exchange of war prisoners between the two factions.

The bodies of 2,000 Taliban soldiers were found. Mr. Brahimi said that it was believed that General Malik was responsible for their death. A Mission was sent to investigate this crime. The human rights situation kept deteriorating and the Talibans continued to prevent the proper distribution of humanitarian assistance. He informed that drug production and trafficking continued.

On December 16th, 1997, the Security Council adopted a Presidential Statement on Afghanistan (S/PRST/1997/55), in which it reiterated its grave concern on the political, military and human rights situation in this country.

Tajikistan

On December 18th, 1997, Assistant Secretary General Annabi, briefed the Security Council Memberson the worsening of the security situation in Tajikistan, the security of the international personnel and humanitarian workers, and the hostage taking incidents that continued to occur in the region. The Members of the Council received information on the killing of a French relief worker.

The members of the Security Council expressed their concern for the delays in the implementation of the peace process and for the possible delays in the steps leading to the holding of free elections. The Members of the Council welcomed the success of the Vienna Donors Conference

The Members of the Security Council alsò called upon all the parties involved to be more active in fulfilling their commitments undertaken in the peace process and to refrain from any activities that would impede its implementation. They also made an appeal to the two parties to ensure the security of the United Nations' personnel and of all the international personnel.

A press statement was made.

ATTACHMENT

Position paper on working methods of the Security Council

1. The Security Council should proceed to finalize its provisional rules of procedure, including the new methods of work and the new practices which have been agreed upon and are being implemented, without prejudice to further improvement of the working methods of the Council and their flexible application.

2. Open public meetings should be held at any stage of the consideration of a subject, in lieu of informal consultations of the whole. Whenever necessary, the Council could meet in private formal sessions. Written records should be ensured for formal sessions of the Council, public or private. Informal consultations of the whole could be held whenever necessary but not as the main way for the Council to conduct its business. Orientation debates previously announced and with the participation of States not members of the Council should be held prior to the Council's taking a decision on a particular matter.

3. The Security Council should apply strictly the relevant provisions of the Charter of the United Nations and the Council's of procedure, particularly those related to ensuring that any Member of the United Nations and any State which is not a member of the United Nations as well as members of the Secretariat or any other person may participate or be invited to participate, as appropriate, in the discussion of any item before the Council and be given adequate opportunity to address the Council in an appropriate forum.

4. The Security Council should consider allowing States non-members of the Council to make statements at the meetings in which a statement is made by the President on behalf of members of the Council.

5. Meetings held under the Arria formula are designed to allow members of the Council to obtain information related to issues under consideration from any source, not least of a non-governmental nature. "Arria" meetings are not the privileged format for the Council to meet with representatives of States; formal meetings of the Council, according to the Charter and the existing provisional rules, are. By virtue of their informal character, "Arria" meetings do not require formal acquiescence by all members of the Council. However, all Security Council members should be encouraged to participate.

6. Briefings by the Secretary-General or any United Nations official acting on his behalf should, as appropriate, be made at a formal meeting of the Security Council in public or private session in accordance with rule 39 of the Council's provisional rules of procedure. Written records of such briefings should therefore be ensured.

7. Before the Security Council imposes sanctions on any member State or reviews sanctions imposed on any State, a formal meeting of the Council should be held as a general rule where opportunity should be given to the State or States concerned or the State under sanctions as well as other neighbouring and

interested States to present their views in accordance with Articles 31 and 32 of the Charter at an appropriate time.

8. Briefings by the President of the Security Council to the general membership should be substantive and conducted promptly after each informal consultation of the whole, including information on draft resolutions and/or presidential statements under consideration at such consultations. Members of the Security Council should be encouraged to follow a transparent approach with other States not members of the Security Council concerning the work of the Council with a view to benefiting from their views on subject matters under consideration.

9. The Sanctions Committees should further enhance transparency in their work through publishing the summary records for each meeting of the committees in a timely manner.

10. Consultations with troop-contributing countries should ensure more active participation of members of the Council as well as troop-contributing States through:

(a) The participation of potential troop contributors and other substantial contributors in the consultations in the preparatory phase of each operation as well as when the mandates of the operations are extended or changed;

(b) The preparation of a summary of the troop contributor consultations to be made available to all Member States; and

(c) The holding of presidential briefings for the general membership on the results of troop contributors' meetings.

11. Agenda items of formal Council meetings and informal consultations of the whole published in the Journal should be more specific.

12. The Council should make a tentative forecast of its programme of work more available to the general membership, as stated in the noted by the President in his note dated 27 July 1993, preferably as a document of the Security Council, and include the provisional monthly programme of work of the Security Council. In this regard, the Council should consider the programme of work for the month in a formal session.

13. An effective mechanism should be established to alert States non-members of the Council of emergency, previously unscheduled and/or weekend meetings of the Security Council. The Secretariat should undertake the necessary measures to this end.

14. The descriptive part of the annual report of the Council should include a factual summary of the discussions at the consultations of the whole on all issues considered by the Council, as well as a summary of the deliberations of the Sanctions Committees. Information regarding the substantive work of the subsidiary organs of the Council, including the Sanctions Committees, should be included in the annex to the annual report.

15. The Security Council should consider implementing the provisions of Article 24, paragraph 3, 22 December 1997, of the Charter by presenting special reports, when necessary, to the General Assembly. The Security Council should identify such necessary cases taking into account all relevant factors.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/287
31 March 1998

ORIGINAL: ENGLISH

LETTER DATED 31 MARCH 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF PAPUA NEW GUINEA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to submit to you a letter from the Minister for Foreign Affairs, Roy Yaki, addressed to the President of the Security Council.

My Government would appreciate his advice concerning the form of endorsement that members of the Security Council are able to give in response to the request contained in the letter.

I should also like to advise that my Government will be sending a special ministerial-level representative to New York, the Special State Negotiator for Bougainville, Sir John R. Kaputin, to provide such information as members of the Security Council might seek. The proposed dates for the visit are 10 to 15 April 1998 (subject to the availability of the President of the Security Council and the Secretary-General).

I should be grateful if you would circulate the present letter and its annex as an official document of the Security Council.

(Signed) Jimmy U. OVIA
Chargé d'Affaires a.i.

98-09065 (E) 010498

/...

Annex

Letter dated 30 March 1998 from the Minister for Foreign Affairs of Papua New Guinea addressed to the President of the Security Council

I have the honour to inform you of recent developments through which the parties to the nine-year-old conflict in Bougainville, Papua New Guinea, have met and agreed to a secure and lasting peace by peaceful means. They include a truce, signed in Burnham, New Zealand, on 10 October 1997 (the Burnham Truce) and the Agreement on Peace, Security and Development on Bougainville, signed at Lincoln, New Zealand, on 23 January 1996 (the Lincoln Agreement), which, among other things, extends the truce until a permanent and irrevocable ceasefire takes effect at 2400 hours on 30 April 1998.

Copies of the Burnham Truce and the Lincoln Agreement (which was signed in the present of a representative of the Secretary-General) are attached for information.

In addition to the Government of the Independent State of Papua New Guinea, the parties engaged in the peace process include the main Bougainvillean groups: the Bougainville Transitional Government, the Bougainville Resistance, the Bougainville Interim Government and the Bougainville Revolutionary Army. Leaders of all of these groups have signed the Lincoln Agreement and are cooperating in its implementation.

The Burnham Truce includes an agreement to invite a neutral regional Truce Monitoring Group, composed of civilian and military personnel from Australia, Fiji, New Zealand and Vanuatu, to promote and instil public confidence in the peace process and to observe and monitor implementation of the truce. I had the honour to provide the Secretary-General with a copy of the agreement under cover of a letter dated 15 December 1997.

The initial deployment of the Truce Monitoring Group, which was due to expire on 31 January, has since been extended, in accordance with the agreement, until 30 April, when the ceasefire will take effect. All of the parties agree that the presence and activities of the Truce Monitoring Group, which is unarmed, have made an outstandingly positive contribution to providing the security and reassurance on which peace depends.

The parties have, therefore, agreed to invite a neutral regional Peace Monitoring Group, also made up on a regional basis and working within a similar framework as the Truce Monitoring Group, to monitor and report on compliance of the parties with all aspects of the ceasefire. Other aspects of the mandate for the neutral regional Peace Monitoring Group are set out in paragraph 6 of the Lincoln Agreement (see attachment I).

My Government, in consultation with the other parties involved in the peace process, is holding discussions with the Governments of Australia, Fiji, New Zealand, Vanuatu and other States in the South Pacific with a view to early

finalization of detailed arrangements for their participation in the Peace Monitoring Group after 30 April.

As paragraph 5 of the Lincoln Agreement makes clear, the parties to the ceasefire look to the United Nations to support their efforts to secure a lasting peace by peaceful means. Consistent with the Lincoln Agreement, I therefore have the honour, on behalf of the independent State of Papua New Guinea, to request the Security Council to endorse the Lincoln Agreement on Peace, Security and Development on Bougainville including establishment of the neutral regional Peace Monitoring Group for which paragraph 6 provides.

Under separate cover, my Government is also requesting the Secretary-General to appoint and deploy a United Nations observer mission to monitor implementation as foreseen in paragraph 5.2 of the Lincoln Agreement.

The conflict in Bougainville has cost not only the participants but also many innocent people and Papua New Guinea as a whole very dearly - in loss, injury and disruption of human life, damage and destruction of property, as well as opportunities foregone.

All of the parties are determined to ensure that the peace process succeeds.

The United Nations would be sending important and encouraging signals of the international community's support for peace by accepting my Government's requests, respectively, for Security Council endorsement and for the Secretary-General to send a small observer mission to monitor implementation of the Lincoln Agreement.

Let me take the opportunity to assure the Security Council of my Government's firm commitment to give full effect to both the letter and the spirit of the Lincoln Agreement, including reconciliation, restoration, an early return to civilian peacetime arrangements for maintaining public order and law, as well as free and fair elections for a Bougainville Reconciliation Government before the end of 1998.

(Signed) Roy YAKI, MP
Minister for Foreign Affairs

Attachment I

Lincoln Agreement on Peace, Security and Development on Bougainville

The Government of Papua New Guinea, the Bougainville Transitional Government, the Bougainville Resistance Force, the Bougainville Interim Government, the Bougainville Revolutionary Army and the Bougainville Leaders (the "Parties"), having met in Lincoln University, Christchurch, New Zealand, from 19 to 23 January 1998,

Praying for the Almighty's forgiveness, guidance and blessing for their common endeavours,

Emphasizing their firm commitment to peace by building on the achievements in the Burnham Declaration, the Burnham Truce and the Cairns Commitment,

Acknowledging the suffering, pain and loss on all sides of the conflict that they have agreed to end forever,

Committing themselves to peace, reconciliation and working together for the common good,

Engaged in a process of consultation and cooperation, initiated by Bougainvillean leaders, which they will continue,

Hereby agree to the following:

1. PEACEFUL MEANS

The parties will cooperate to achieve and maintain peace by peaceful means. They also pledge to renounce the use of armed forces and violence, and agree to resolve any differences by consultation, both now and in the future. They also confirm their respect for human rights and the rule of law.

2. EXTENSION OF THE TRUCE

The parties agree to extend the period of the truce currently in force to 30 April 1998 to allow for consultation as regards the establishment of the ceasefire.

3. CEASEFIRE

3.1 A permanent and irrevocable ceasefire will take effect in Bougainville at 2400 hours on 30 April 1998.

3.2 The parties will cooperate to reduce fear in Bougainville and take urgent steps to cooperate in promoting public awareness of, and respect for, the ceasefire.

3.3 Immediately after the ceasefire takes effect, the parties will refrain from use of arms, ammunition, explosives and other instruments of death, injury or destruction in Bougainville.

3.4 The parties will not manufacture, trade or distribute weapons or ammunition.

3.5 The parties will cooperate in accordance with the law in reporting and preventing the use, manufacture, importation, sale, trade or exchange of weapons and ammunition.

3.6 The parties will cooperate with the successor to the Truce Monitoring Group in recording, locating and arranging for the disposal of all arms, ammunition, explosives and other instruments of death, injury and destruction, including parts and ingredients of all the parties in Bougainville.

4. WITHDRAWAL OF DEFENCE FORCE FROM BOUGAINVILLE

The parties agree to a phased withdrawal of the Papua New Guinea Defence Force from Bougainville subject to restoration of civil authority.

5. PEACE MONITORING GROUP

5.1 The Papua New Guinea National Government undertakes to conclude the arrangements required for deployment of the successor to the neutral regional Truce Monitoring Group by no later than 30 April 1998.

5.2 The Papua New Guinea National Government will seek the endorsement of the United Nations Security Council for these arrangements, including the appointment of a special observer mission to monitor these arrangements.

6. MANDATE OF THE PEACEKEEPING FORCE

The mandate of the success to the Truce Monitoring Group will be:

(a) To monitor and report on the compliance of the parties to all aspects of the ceasefire;

(b) To promote and instil confidence in the peace process through its presence, good offices and interaction with people in Bougainville;

(c) To provide people in Bougainville with information about the ceasefire and other aspects of the peace process;

(d) To provide such assistance in restoration and development consistent with this agreement as the parties may agree and available resources allow;

(e) To assist with the development and training and institution of a Bougainvillean constabulary;

and such other matters as may be agreed to by the parties that will assist with the democratic resolution of the situation.

7. TRANSITION TO CIVILIAN PEACETIME POLICING

The parties will cooperate in:

(a) Re-establishing the village court system in Bougainville; and

(b) Restoration of civilian peacetime policing, including arrangements that will facilitate the recruitment, training and deployment of Bougainvillean police.

8. RECONCILIATION

8.1 The parties will cooperate in promoting reconciliation between Bougainvilleans and with other individuals, groups and organizations in Papua New Guinea.

8.2 The parties agree to free and democratic elections on Bougainville to elect a Bougainville Reconciliation Government before the end of 1998.

9. REMOVAL OF BOUNTIES AND FREE MOVEMENT

The Papua New Guinea National Government:

(a) Has confirmed the removal of bounties; and

(b) Will facilitate the free and unhindered movement of Papua New Guineans into, within and out of Papua New Guinea in accordance with the law.

10. AMNESTY AND PARDON

The Papua New Guinea National Government will:

(a) Grant amnesty to persons involved in crisis-related activities on all sides;

(b) Following receipt of advice from the Advisory Committee on the Power of Mercy, recommend pardons for persons convicted of crisis-related offences.

11. RESTORATION AND DEVELOPMENT

11.1 The parties will cooperate in restoration and development in Bougainville in both the public and private sectors, with particular emphasis on rural areas.

11.2 The Papua New Guinea National Government will seek appropriate forms of assistance from international organizations, foreign Governments and organizations for restoration and development in Bougainville.

11.3 Assistance for restoration and development in Bougainville will, to the maximum practical extent, be sought and administered so as to promote Bougainvillean participation.

11.4 The Papua New Guinea National Government will prepare an indicative programme in consultation with the parties to help secure funding and other resources to assist in restoration and development in Bougainville.

11.5 The parties agree to cooperate in restoring normalcy, including the return of Bougainvilleans in care centres to their villages and resuming development in Bougainville by acting without delay:

(a) To facilitate communication with and access to villages on Bougainville;

(b) To provide essential services, such as health and education.

12. CONSULTATION AND LIAISON

The parties agree to promote consultation, cooperation and liaison at the political level among Bougainvilleans and with the Papua New Guinea National Government.

13. POLITICAL ISSUE

13.1 The parties agree to meet again in Bougainville to address the political issue before the end of June 1998.

13.2 Officials will meet as required to prepare for such meetings.

14. PUBLIC AWARENESS

The parties will cooperate in promoting public awareness of, and respect for, the present Agreement.

15. ANNEXES TO THE AGREEMENT AND SUBSIDIARY ARRANGEMENTS

Detailed arrangements for implementation and development of the present Agreement may, by agreement, be embodied in annexes or subsidiary arrangements to the present Agreement.

16. ONGOING COOPERATION

In signing the present Agreement, the parties whose signatures appear below commit themselves to working together for peace, justice, security and development in Bougainville by:

(a) Cooperating with each other; and

(b) Promoting a bipartisan approach in the National Parliament and in the community as a whole.

Done at Lincoln, Christchurch, New Zealand this 23rd day of January, 1998.

(Signed) Sir John KAPUTIN
Chief Negotiator
Papua New Guinea Government

(Signed) Joseph KABUI
Vice President
Bougainville Interim Government

(Signed) Sam AKOITAI
Minister for Bougainville Affairs
Papua New Guinea Government

(Signed) General Sam KAUONA
Commander,
Bougainville Revolutionary Army

(Signed) Gerard SINATO
Premier
Bougainville Transitional Government

(Signed) John MOMIS
Member for Bougainville Region
Papua New Guinea Government

(Signed) Michael LAIMO
Member for South Bougainville
Papua New Guinea Government

(Signed) Michael OGIO
Member for North Bougainville
Papua New Guinea Government

(Signed) Hilary MASIRIA
Resistance Commander

WITNESSED BY:

(Signed) Bartholomew ULUFA'ALU
Prime Minister
Solomon Islands

Attachment II

The Burnham Truce

Reaffirming the principles contained in the Burnham Declaration of 5-18 July 1997, representatives of the National Government of Papua New Guinea, the Bougainville Transitional Government, the Resistance, the Bougainville Interim Government and the Bougainville Revolutionary Army, having met in Burnham military camp, New Zealand, from 1 to 10 October 1997, recognize the desirability of taking immediate positive measures:

- To cease armed conflict;

- For peace and reconciliation; and

- For the return of normalcy and restoration of services by all parties,

and pending a formal meeting of leaders, desirably by 31 January 1998,

Have agreed, as immediate interim measures, to the following:

1. To respect and promote basic human rights and fundamental freedoms;

2. To refrain from all acts of intimidation and armed confrontation;

3. To promote peace and reconciliation in the community;

4. To lift all restrictions so as to restore freedom of movement and delivery of services to the people of Bougainville, subject to appropriate clearances;

5. That field commanders of the Papua New Guinea Security Forces, the Resistance and the Bougainville Revolutionary Army, and village chiefs meet on a regular basis to consult, review and monitor the implementation of this commitment as well as to consult as required and resolve any incidents which may threaten or breach these understandings as well as to promote the aspirations expressed herein;

6. To recommend to the National Government and leaders on Bougainville to immediately invite a neutral regional group to monitor the terms of this agreement.

This agreement shall take effect as of the date of signature.

Signed at Burnham Military Camp, Burnham, New Zealand on this tenth day of October, 1997.

Papua New Guinea National Government Delegation:	Bougainville Transitional Government	Bougainville Interim Government/ Bougainville Revolutionary Army
(Signed) Robert IGARA Secretary for Prime Minister and National Executive Council and Delegation Leader	(Signed) Kapeatu PUARIA Legal Advisor (Bougainville Transitional Government) Delegation Leader	(Signed) Martin MIRIORI Secretary (Bougainville Interim Government) and Delegation Leader

WITNESSED BY:

(Signed) Rev. Leslie BOSETO
Minister for Home Affairs
Government of Solomon Islands

(Signed) Don McKINNON
Minister of Foreign Affairs and Trade
Government of New Zealand

PAPUA NEW GUINEA SECURITY FORCES

Royal Papua New Guinea Constabulary

(Signed) Ludwig KEMBU
Deputy Commissioner of Police
Chief of Operations

(Signed) John TOGUATA
Assistant Commissioner of Police
Divisional Commander
Islands Division

Papua New Guinea Defence Force

(Signed) Brig. Gen. Leo NUJA
Commander
Papua New Guinea Defence Force

(Signed) Lt. Col. Michael TAMALANGA
Commanding Officer 2RPIR

(Signed) Lt. Col. Jeoffrey WIRI
Director Land Operations
Headquarters
Papua New Guinea Defence Force

(Signed) Lt. Col. Peniel NILIGUR
Director Military Intelligence
Headquarters
Papua New Guinea Defence Force

RESISTANCE COMMANDERS

Buka

Hilary MASIRIA
Donald HAMAO

Northwest

Justin PERESIVERI
Jonathan TORE
John Bosco DOAKA

Tinputz

Ross VAVEIO

Wakunai

Paul AKOITAL
Tony BUSU

Kieta

Hilary LONI
John Bosco PIRITOI

Buin

Jacob NAISY
Philip PUSUA
Henry KIUMO
Andy FOSTER
Cosmas PIRUKE

Siwai

David MIKISA
Michael KOMOIKO
Pius KUHEU

Bana

Jacob LAULAU
Enoch PUKARO
Daniel NAMAKE

BOUGAINVILLE REVOLUTIONARY ARMY COMMANDERS

(Signed) Sam KAUONA, General
(Signed) Ishmael TOROAMA, Chief of Staff
(Signed) Peter NAGUO, Chief of Operations
(Signed) Steven TOPESI, Task Force Commander
(Signed) Ben KAMDA, Planner
(Signed) Aloysious SINGKA, Ground Force Commander
(Signed) Barnabas TOBI
(Signed) Timothy Laku SIVE, Training Commander

BOUGAINVILLE COMPANY REPRESENTATIVES - COMMANDERS

(Signed) Epeli EPIOVA
(Signed) Steven KIWI
(Signed) Pais MAKO
(Signed) John MUKAKI
(Signed) Justin KOKIAI
(Signed) Ben PAURA
(Signed) Kevin KAPARIKA
(Signed) Thomas TARI
(Signed) Cornelius SOLOMON
(Signed) Joe MARK
(Signed) John KONGKAI
(Signed) Eric NETO
(Signed) David TSIKIA
(Signed) Getsi TANAHAN

(Signed) Glen BIARAS
(Signed) Joel PATU
(Signed) George DIVA
(Signed) Sammy DARIUS
(Signed) Noel RUFO
(Signed) Darius WAMI
(Signed) Benjamin KOMENA
(Signed) Eddy MOHIN
(Signed) Frank SINAKU
(Signed) John KOURO
(Signed) Amos OVE
(Signed) Sylvester WANE
(Signed) Lucas ALIKUS
(Signed) Zachias PEAHIRI

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/288
31 March 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 31 MARCH 1998 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

According to a report published in the 31 March 1998 issue (No. 12,800) of the New York edition of the newspaper Al-Hayat, the United States has begun to recruit and organize some Libyan terrorist elements, using various inducements.

An individual by the name of Henry Schuler, of the Central Intelligence Agency, is reported to have met with these terrorists, who are wanted in the Libyan Arab Jamahiriya.

Not only does this action constitute flagrant interference in the internal affairs of an independent State and a member of the United Nations, it also reveals the true intentions of the United States towards my country, intentions which it has been unable to realize by fabricating the so-called "Lockerbie affair".

This action is also, in effect, terrorist activity, in view of the fact that the United States had previously spirited some Libyans out of Chad by force and opened training camps for them in the United States, with a view to using them to carry out terrorist operations in Libya (see document S/26816).

We should like this matter to be brought to the attention of the Security Council, and we hold the Government of the United States fully responsible for the consequences of this flagrant act.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Ambassador
Permanent Representative

98-09030 (E) 010498 010498 020498

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/53/92
S/1998/289
1 April 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Item 33 of the preliminary list*
SUPPORT BY THE UNITED NATIONS SYSTEM
OF THE EFFORTS OF GOVERNMENTS TO
PROMOTE AND CONSOLIDATE NEW OR
RESTORED DEMOCRACIES

SECURITY COUNCIL
Fifty-third year

Letter dated 31 March 1998 from the Chargé d'Affaires a.i of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement by the Government of the Republic of Serbia of 31 March 1998.

I would be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under item 33 of the preliminary list, and of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

* A/53/50.

98-09223 (E) 010498

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ANNEX

Statement of 31 March 1998 by the Government of the Republic of Serbia

The Government of Serbia at its meeting today reviewed the situation in Kosovo and Metohija in the light of the measures and activities undertaken recently with a view to reducing tensions in that part of the Republic. The Government positively assessed the trend of improvement of security and the normalization of the overall situation, creating favourable conditions for a genuine political process.

It noted that there was a positive international response to the declaration by the President of the Republic of Serbia, Mr. Milan Milutinovic, on the political process in Kosovo and Metohija (A/53/89-S/1998/250, annex) and to his clear call for a direct and unconditional dialogue with representatives of national minorities living in Kosovo and Metohija. This is an expression of the true interest of the Government of Serbia to resolve all issues by political means on the basis of the European standards in the field of human and civil rights, as well as the rights of the members of national minorities living in Serbia. In particular, the importance of broad support for the territorial integrity of Serbia and Yugoslavia and a strong condemnation of separatism as an idea contrary to the principles of the United Nations and the Organization for Security and Cooperation in Europe, was underscored.

A clear condemnation of terrorism unambiguously shows that the international community strongly opposes this universal scourge. All this has contributed to an increased realism and awareness of the citizens of Kosovo and Metohija, including a vast majority of the members of the Albanian minority, that all issues can be solved only through direct dialogue and political means within Serbia.

Because of the reduction of tensions and normalization of the situation in Kosovo and Metohija, regular police forces successfully carry out their duties of maintaining the peace and public order and protecting private property.

The results achieved in the resolution of specific issues, such as the successful accord on the implementation of the education agreement and the successful start of its implementation, make a special contribution to this positive trend.

The Government of Serbia noted that the requests of members of the Muslim, Romany, Turkish and other minorities and ethnic communities living in Kosovo and Metohija to take part in the political dialogue are legitimate, and those requests have been accepted. The fact that a number of representatives of the Albanian minority have also expressed an interest and accepted the dialogue is positive as well.

The Government noted that its call for a genuine, unconditional political dialogue has not so far been responded to by representatives of the political parties of the Albanian national minority. The Government also regrets that,

despite the repeated urging by the international community, these representatives have not yet condemned terrorism. Such an approach is detrimental, primarily to the interests of the members of the Albanian national minority.

It is clear that the leaders of the Albanian political parties bear the sole responsibility for failure to enter into a genuine dialogue in spite of repeated calls by the Government of Serbia.

The Government this time again reaffirms its determination and resolve to reach, in an open and direct dialogue with representatives of the Albanian and other minorities in Kosovo and Metohija, generally acceptable solutions for all specific issues related to the exercise of their human and civil rights and self-administration, in accordance with the applicable European and international standards.

For this purpose, the Government has designated a delegation headed by the Vice-President of the Government, Professor Ratko Markovic, Dr. Milovan Bojic, Vice-President of the Government, Mr. Tomislav Nikolic, Vice-President of the Government, Mr. Andrea Milosavljevic, Mr. Ivan Sedlak, Minister without portfolio, and Mr. Ratomir Vico, Chairman of the Foreign Affairs Committee of the Serbian Assembly, were also included in the delegation. The discussions of the delegation of the Government of Serbia with the representatives of national minorities in Kosovo and Metohija will also be attended by representatives of parliamentary political parties and by the special representative of the President of the Federal Republic of Yugoslavia, Dr. Vladan Kutlesic, Vice-President of the Federal Government.

The Government calls upon representatives of the political parties of the Albanian minority to come to the talks a week from today, i.e., on 7 April 1998, in the building of the Republican Government in Pristina, Vidovdanska 2, at 11 a.m.

Apart from this public invitation, the Government of Serbia has regularly addressed written invitations to representatives of the political parties of the Albanian minority and to public figures, namely to Ibrahim Rugova, President of the Democratic Alliance of Kosovo, Adem Demaci, President of the Parliamentary Party of Kosovo, Mrs. Ljuljeta Pulja-Beciri, President of the Social Democratic Party, Mark Krasnici, President of the Christian Democratic Party, Hajura Gorani, President of the Union of Independent Trade Unions and Hivzi Isljami, President of the Peasant Party, as well as to Mahmut Bakali, Azem Vlasi, Remzi Koljgeci, Kacusa Jasari and Gani Jasari.

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/52/862
S/1998/290
1 April 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda items 36, 37 and 87
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE
PALESTINIAN PEOPLE AND OTHER ARABS
OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-third year

Letter dated 1 April 1998 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I wish to follow up my previous letters regarding the reckless statements being constantly made by officials of the Israeli Government, which serve only to further damage the fragile fabric of the Middle East peace process and clearly demonstrate the established policy of this Government to continue violating international law and United Nations resolutions.

On Tuesday, 31 March 1998, Mr. Benjamin Netanyahu, Prime Minister of Israel, visited an illegal Israeli settlement in the West Bank, Maale Adumim, where he proceeded to call the settlement a "part of greater Jerusalem" and stated "we are putting efforts into the growth of this place". The promotion of ideas such as "greater Jerusalem" or "greater Israel" should be condemned in the strongest possible terms, as they are obvious reflections of expansionist colonialist policies. These recent statements are in direct violation of Security Council and General Assembly resolutions on the status of Jerusalem and in defiance of the position of every single other Member State of the United Nations. Such statements also violate the agreements reached between the two sides, which leave the future of Jerusalem subject to negotiations between the two sides during the final status stage.

It is also relevant to note that the above statements were made only one day after the conclusion of the visit to the region by the Special Envoy to the Middle East peace process of the United States of America, Mr. Dennis Ross, which did not produce any tangible results owing to continuing intransigence by

Israel and attempts to evade its obligations under the agreements reached. Clearly, these statements only reaffirm Israeli negative intentions in this regard.

I should be grateful if you would arrange to have the text of the present letter distributed as an official document of the fifty-second session of the General Assembly, under agenda items 36, 37 and 87, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/53/93
S/1998/291
2 April 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Item 113 (b) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

SECURITY COUNCIL
Fifty-third year

Letter dated 1 April 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued by the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia on 1 April 1998 (see annex).

I would be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 113 (b) of the preliminary list, and of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

* A/53/50.

98-09347 (E) 020498

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ANNEX

Statement issued on 1 April 1998 by the Federal Ministry of Foreign Affairs of Yugoslavia

Following the adoption of the United Nations Security Council resolution on the arms embargo, the Federal Ministry of Foreign Affairs esteems that such a resolution was unfounded and that it represents a precedent in the sense that an internal question of a Member State of the United Nations has been considered without its consent.

Bearing in mind that in Kosovo and Metohija there are no confrontations, that there is no threat to peace and security, the Federal Ministry of Foreign Affairs stresses that accordingly there is no basis in the Charter of the United Nations for the consideration of this issue. It recalls that problems in Kosovo and Metohija originate in separatism and terrorism and by no means in the limitation of rights of the members of national minorities.

Thus all the pressures against the Government of Serbia or Yugoslavia are unfounded and unacceptable, since they can only encourage those who have unrealistic and dangerous goals and illusions.

The President of the Republic of Serbia and the Government of Serbia, as the most competent state institutions in the Republic, have demonstrated their constitutional responsibility as well as the maximum readiness for all issues in Kosovo and Metohija to be resolved through a direct dialogue without preconditions, in the interest of equality and the well-being of all citizens in that part of Serbia.

Such openness and responsible position is most widely supported by all political forces and all citizens of Serbia, including the members of national minorities, who see their safe future only in a stable and prosperous Serbia and Yugoslavia, as an equal member of the international community. Separatism and, particularly, terrorism are most widely condemned within our country as well as in the world, as dangers threatening not only the interests of a particular State, but also the very foundations and principles of international relations. Therefore, the suppression of terrorism is not only a legitimate right but also an obligation of each State. This right and obligation must not be jeopardized in any way.

All the issues in Kosovo and Metohija may be resolved only through dialogue and by political means, with full respect for European standards with regard to the rights of the members of national minorities, including genuine local self-administration. The Government of Serbia strongly committed itself to such a policy in its last statement of 31 March 1998 (A/53/92-S/1998/289, annex), and this policy deserves clear and unambiguous support by the international community. Pressures, outside interference and internationalization not only have no grounds, but they are also counter-productive and damaging. They can only fuel separatist aspirations and plans, which contradict the generally accepted principles of the Charter of the United Nations and of the Final Act of

the Conference on Security and Cooperation in Europe, and constitute a threat to peace and stability in the region.

The readiness of Yugoslavia to cooperate with the international community on questions such as the strengthening of peace, stability and good-neighbourliness in the region and the achievement of goals of European and other international organizations has never been in doubt, and it is certainly not so today. It is natural that Yugoslavia, in addition, expects that its legitimate interests and rights be respected as those of an active subject and partner in the positive processes in the region and in Europe.

It is therefore more surprising that it is required of Serbia and Yugoslavia to undertake what they are already doing, guided by the equally generally accepted principles and their own objectives. On the other hand, they cannot accept the participation of foreign factors in the resolution of internal matters of importance for the sovereign protection of national and state interests, such as territorial integrity and the constitutional system. Such demands for the involvement of foreign factors in internal affairs contradict the principles of the Charter of the United Nations, the interests of the Member States and the international legal order.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/292
2 April 1998
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 31 MARCH 1998 FROM THE PERMANENT REPRESENTATIVE OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a letter from His Excellency Mr. Arnoldo Aleman Lacayo, President of the Republic of Nicaragua, concerning your successful mission to Iraq (see annex).

I should be most grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Enrique PAGUAGUA FERNANDEZ
Ambassador
Permanent Representative

98-09353 (E) 020498 020498

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Annex

Letter dated 31 March 1998 from the President of Nicaragua addressed to the Secretary-General

The Government of the Republic of Nicaragua was pleased to hear of the successful outcome of your peace efforts in Iraq. Thanks to your commendable work, multilateral diplomacy proved once again to be an effective means of settling international disputes and promoting peace and mutual trust between States.

The Government over which I preside firmly supports any diplomatic solution to the current crisis in Iraq and emphasizes the urgent need for that country to comply with all the Security Council resolutions and to permit access to the Presidential sites, in accordance with the demands of the international community.

Confident that what you are doing to further peaceful aims in the world will result in an appropriate solution to the Iraq crisis, I take this opportunity to convey to you the renewed assurances of my highest consideration.

(Signed) Arnoldo ALEMAN LACAYO
President of the Republic of Nicaragua

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/52/863
S/1998/293
2 April 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 2 April 1998 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a letter dated 2 April 1998 from His Excellency Mr. Glafcos Clerides, President of the Republic of Cyprus, addressed to you (see annex).

I should be grateful if you could have the present letter and its annex circulated as an official document of the fifty-second session of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Sotirios ZACKHEOS
Ambassador
Permanent Representative

98-09460 (E) 030498

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ANNEX

Letter dated 2 April 1998 from the President of Cyprus to the Secretary-General

I wish to refer to the letter dated 19 March 1998, addressed to you by Ambassador Tuluy Tanç, Chargé d'affaires a.i. of the Permanent Mission of the Republic of Turkey to the United Nations, which was circulated as a document of the General Assembly and the Security Council (A/52/384-S/1998/255). Annexed to that letter there is a text described by the Turkish Chargé d'affaires as a "letter dated 5 March 1998 from His Excellency Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus" addressed to me, as well as a "summary of the statement made by President Denktaş in connection with the peace initiative of the Turkish Cypriot side for the settlement of the Cyprus issue".

The transmission and circulation by the Turkish Representative of the aforementioned material is an example of how a Member of the United Nations, by abusing a privilege derived from membership, promotes aims and objectives that are contrary to the Charter of the United Nations and international law. The material in question emanates from a secessionist entity proclaimed as illegal by Security Council resolutions 541 (1983) and 550 (1984) as well as by subsequent resolutions. These resolutions, inter alia, "call upon all States not to recognize the purported State of the 'Turkish Republic of Northern Cyprus' set up by secessionist acts and ... not to facilitate or in any way assist the aforesaid secessionist entity". It should be pointed out that this secessionist entity has been recognized only by Turkey, the country that created and maintains it, through the use of military force and in total disregard for the United Nations Security Council resolutions.

Turkey's contempt for international legality is also exemplified by its failure to fulfil its obligations derived from the 1960 Agreements establishing the Republic of Cyprus. Under the Treaty of Guarantee, Turkey, together with Greece and the United Kingdom of Great Britain and Northern Ireland, recognize and guarantee the independence, territorial integrity and security of the Republic of Cyprus. As a result of the 1974 invasion of Cyprus by Turkey and the continuing occupation of 37 per cent of Cyprus' territory by Turkish troops, Turkey turned from a guarantor Power of Cyprus' independence into an aggressive occupying Power, violating and threatening what in fact it was mandated to protect and respect under the 1960 Agreements.

The title accorded to Mr. Denktash by Turkey and mentioned in the Turkish Chargé d'affaires' letter is consistent with Turkey's policy attempting to legitimize in international forums the illegal secessionist entity, and those purporting to represent it in order to undermine Cyprus' independence. Mr. R. Denktash's one and only representative capacity is that of leader of the Turkish Cypriot community in representing his community in the efforts to reach a negotiated settlement of the Cyprus problem under the auspices of the United Nations and your mission of good offices, as provided for in the pertinent United Nations resolutions. In this respect your statement made in Geneva on 28 March, after your meeting with Mr. Denktash, by which you expressed the United Nations position on this very issue is pertinent and timely.

I do not consider it proper to comment on the contents of a letter I refused to receive for reasons of principle and order. I do however consider it appropriate to make some general observations relating to the Turkish Chargé d'affaires' document in its totality, irrespective of the signatories or authors of its various parts, since it contains the official position of the Turkish Government on the issues raised in it.

There exists one State in Cyprus, the Republic of Cyprus, established under international agreements, with its fundamental rights to independence, sovereignty and territorial integrity. The Turkish invasion of Cyprus and the continuing occupation of almost 37 per cent of its territory have in no way affected or could affect the international legal status of the Republic of Cyprus.

As provided in United Nations Security Council resolution 939 (2) of 29 July 1994, reaffirmed ever since, "a Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant Security Council resolutions in a bicommunal and bizonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession".

The aforementioned Security Council resolutions are binding on all States, including of course the Republic of Turkey.

The parameters of the solution of the Cyprus problem are clearly and unambiguously defined and set in the Security Council resolutions, which, together with the 1977 and 1979 High-level Agreements, constitute the only basis for any negotiated settlement of the problem.

If the Turkish side sincerely wishes to ally itself with the international community in the efforts to find a just and viable solution to the Cyprus problem, there is no other way than to respect and adhere to international legality and to what has already been agreed. The Turkish attempt to change the basis of the negotiations, strikes at the heart of the negotiating process with unforeseen consequences not only for Cyprus but for peace and stability in the region. We feel that the Security Council, which has the primary responsibility for the maintenance of peace and stability, should reconfirm its commitment to a peaceful solution of the Cyprus problem on the basis of its own resolutions, and the High-level Agreements and, in this framework, urge the Turkish side to return to the negotiating process.

The Government of the Republic of Cyprus, like any other Government, has both the right and the duty to ensure the security of its people. As a sovereign and independent State, the Republic of Cyprus takes what steps are needed to protect its territory from further Turkish aggression. The reaction of Turkey to the upgrading of Cyprus' defence capabilities has the sole intention of maintaining the largely imbalanced military status quo on the island, which the Security Council has unequivocally considered unacceptable.

The defensive intentions of my Government, with regard to the S-300 missile system, have been made very clear all along. Cyprus has repeatedly stressed that the system is in no way intended against any country or the Turkish Cypriots.

The undisputed proof of Cyprus' intentions lies in my proposal for the complete demilitarization of the Republic of Cyprus made in November 1993, which addresses the security concerns of both the Greek Cypriot and Turkish Cypriot communities.

The proposal, if accepted by Turkey, would remove the reason that necessitated the general effort to improve my country's defence capabilities.

The people of Cyprus are looking forward to the future. A future with no foreign troops of occupation, a future with no refugees, a future with no missing persons, a future in a united country where all Cypriots, irrespective of religion or ethnic origin can live and work in peace with dignity, mutual respect and security.

The ideas and ways of yesterday will not lead the people of Cyprus towards the realization of the Cyprus they want to build. Yesterday's ideas and ways are the recipe for new suffering and even for a total catastrophe.

We all should look to the future. And the future of Cyprus lies with the family of the nations of Europe. I take this opportunity to appeal once again to my Turkish Cypriot compatriots to join this noble effort.

(Signed) Glafcos CLERIDES
President of the Republic of Cyprus

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/294
3 April 1998

ORIGINAL: ENGLISH

LETTER DATED 2 APRIL 1998 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE FEDERAL REPUBLIC OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of the letter dated 2 April 1998 from Mr. Slobodan Milosevic, President of the Federal Republic of Yugoslavia, addressed to the President of the Republic of Serbia, President of the Government of the Republic of Serbia and the President of the National Assembly of the Republic of Serbia, as well as the statement of the President of the Republic of Serbia, Mr. Milan Milutinovic on the letter of President Milosevic and the proposal of the Serbian Government calling of a referendum.

I would be grateful if you would have my letter and its annexes circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

98-09509 (E) 030498

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Annex I

Yugoslav President S. Milosevic calls for a referendum

The President of the Federal Republic of Yugoslavia, Slobodan Milosevic, on Thursday morning, 2 April 1998, sent a letter to Serbian President Milan Milutinovic, Serbian Prime Minister Mirko Marjanovic and Serbian National Assembly President Dragan Tomic.

The following is the integral version of the text of the letter:

"To:

"The President of the Republic of Serbia

"The Prime Minister of Serbia

"The President of National Assembly of the Republic of Serbia

"It is well known that we have rejected the participation of foreign representatives in the resolution of the internal affairs of our country, and especially in the resolution of the problems in Kosovo and Metohija, which are the internal affair of Serbia.

"I believe that this position is of fundamental significance for the preservation of our country's sovereignty and territorial integrity. Because of that, our country once again faces the threat of all possible forms of pressure.

"Those who want to dictate to the entire world how it should live and even think have an extremely negative and aggressive stand towards our determined position to resolve our problems as a sovereign State, without foreign interference. Over the past few days, we have heard how they have nothing against our people, that they even love us and are sorry that the people will be subject to pressures because the leadership is taking such a stand.

"I believe that we cannot accept such cynicism, which serves to justify pressure exerted in the name of democracy. I believe that, during the entire period of the crisis in the territory of the former Yugoslavia, we conducted a national policy, rather than a personal or even a partisan one. In this instance, too, our refusal to allow foreign actors to participate in the resolution of the internal affair of the Republic of Serbia - Kosovo and Metohija - also represents a national policy, not a personal or a partisan one.

"Whether this is true can only be decided by the citizens.

"This is why I am proposing that, in keeping with the Constitution and the laws of Serbia, you initiate proceedings for holding a referendum which would provide an answer to the question: 'Do you accept the participation

of foreign representatives in the resolution of the problems in Kosovo and Metohija?'

'I am availing myself of this opportunity to say that, at the same time, it is necessary to intensify efforts towards the constructive resolution of the problems which burden Kosovo and Metohija. This implies the speedy start of a dialogue and steps which will represent a solution for the equal affirmation of the interests of all who live in Kosovo and Metohija.

Slobodan MILOSEVIC'

Annex II

Serbian President Milutinovic issues a statement on the letter of President Milosevic

Serbian President Milan Milutinovic on Thursday 2 April 1998 supported Yugoslav President Slobodan Milosevic's initiative that Serbian citizens decide in a referendum whether foreign representatives should be included in efforts to resolve the problem in Kosovo and Metohija.

The following is Mr. Milutinovic's statement communicated by his office:

"The citizens of Serbia know what kind of pressures our country is facing because of its determination to preserve Serbia within its constitutional and historical boundaries and develop it as a State of equal citizens, in which all rights of national minorities will be guaranteed under the highest international standards. Under the Constitution of the Republic of Serbia, sovereignty belongs to all citizens of Serbia and they exercise that sovereignty in a referendum. There are not many situations that so clearly call for a direct statement of opinion by all citizens of the Republic of Serbia as the issue of sovereignty and the preservation of its territorial integrity.

"Mindful of the fact that, in relation to this crucial matter, it is necessary for us to request a confirmation of our policy from the citizens themselves, I fully support the initiative of the President of the Federal Republic of Yugoslavia, Slobodan Milosevic, that the citizens of Serbia decide in a referendum whether they accept that foreign representatives be included in our efforts towards resolving the problem in Kosovo and Metohija.

"Basing ourselves on the positions contained in the March 18 Declaration on the political process in Kosovo and Metohija, I believe that only through a constructive and intensive political dialogue can we arrive at solutions which will be in the long-term interest of all those living and working in Kosovo and Metohija."

Serbian Government proposes the calling of a referendum

The Serbian Government on Thursday unanimously accepted Yugoslav President Slobodan Milosevic's initiative that Serbian citizens should decide in a referendum whether foreign representatives should be included in the resolution of problems in Kosovo and Metohija.

According to a statement issued by the Serbian Information Ministry, at the beginning of Thursday's session Serbian Premier Mirko Marjanovic informed members of the Cabinet about the contents of the letter sent to him by President Milosevic.

The statement related that the Government had unanimously adopted the Yugoslav President's initiative and decided, in line with the law, to submit to the Serbian Parliament a proposal for calling a referendum in which Serbian citizens would decide whether they accepted that foreign representatives be included in the resolution of problems in Kosovo and Metohija.

The Government believes that the referendum on this issue is the right way to obtain a direct expression of the citizens' will and, thereby, an affirmation of the constitutional principle of the sovereignty of the people.

The Government unanimously decided to propose to the Parliament that the question posed in the referendum be worded as follows: 'Do you accept the participation of foreign representatives in the resolution of problems in Kosovo and Metohija?'

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/295
3 April 1998

ORIGINAL: ENGLISH

LETTER DATED 3 APRIL 1998 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SIERRA LEONE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As the sanctions imposed on Sierra Leone by the Security Council in its resolution 1132 (1997) of 8 October 1997 will be coming up for review soon by the Council in accordance with paragraph 17 of the resolution, I would like to convey my Government's position on the matter.

The Government is of the strong view that the sanctions imposed by paragraphs 5 and 6 should still remain in force. Fighting is still going on in some parts of the eastern province and heinous crimes like genocide, murder, rape, arson, looting and so on are being committed on a daily basis by remnants of the Armed Forces Revolutionary Council/Revolutionary United Front junta. It will therefore not be in the best interest of the country to lift either the arms embargo or travel restrictions at this time. Lifting the arms embargo now will allow the junta to start importing more arms into the country and this will lead to the intensification of the war. As most of the leaders of the junta, including Johnny Paul, the so-called Chairman, are still trapped in the country, lifting the restrictions now will just allow them to flee from the country and hence from justice. Until normalcy has completely returned to the country, my Government will urge that they should not be allowed to travel to any Member State of the United Nations to enjoy their ill-gotten gains.

The Government should be allowed to consolidate the peace it has started building in the country. I therefore appeal for the support and understanding of members of the Security Council on this issue.

I would be most grateful if the present letter could be circulated as a document of the Security Council.

(Signed) Fode M. DABOR
Deputy Permanent Representative
Chargé d'affaires a.i.

98-09560 (E) 030498

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Security Council

Distr.
GENERAL

S/1998/296
3 April 1998

ORIGINAL: ENGLISH

LETTER DATED 3 APRIL 1998 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

In accordance with the provisions of Security Council resolution 689 (1991) of 9 April 1991 and in the light of your report of 25 March 1998 (S/1998/269), the members of the Security Council have reviewed the question of termination or continuation of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) and its modalities of operation.

I have the honour to inform you that the members of the Security Council concur with your recommendation that UNIKOM be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again on 9 October 1998.

(Signed) Hisashi OWADA
President of the Security Council

98-09566 (E) 030498

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Security Council

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GENERAL

S/1998/297
3 April 1998

ORIGINAL: ENGLISH

LETTER DATED 31 MARCH 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 1159 (1998) of 27 March 1998, in which the Council established a United Nations Mission in the Central African Republic (MINURCA) with effect from 15 April 1998 and welcomed the appointment of a Special Representative of the Secretary-General for the Central African Republic.

Following the usual consultations, I wish to inform you of my intention to appoint Mr. Oluyemi Adeniji (Nigeria) Special Representative of the Secretary-General for the Central African Republic and Head of MINURCA.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

98-09572 (E) 030498

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GENERAL

S/1998/298
3 April 1998

ORIGINAL: ENGLISH

LETTER DATED 3 APRIL 1998 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 31 March 1998 (S/1998/297) concerning your intention to appoint Mr. Oluyemi Adeniji (Nigeria) Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Mission in the Central African Republic (MINURCA) has been brought to the attention of the members of the Council. They agree with the intention contained in your letter.

(Signed) Hisashi OWADA
President of the Security Council

98-09578 (E) 030498

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General Assembly
Security Council

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GENERAL

A/52/866
S/1998/299
3 April 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 1 April 1998 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 1 April 1998, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus, which contains a letter of His Excellency Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus, dated 25 March 1998 (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the fifty-second session of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

ANNEX

Letter dated 1 April 1998 from Mr. Aytuğ Plümer
addressed to the Secretary-General

I have the honour to enclose herewith a copy of the letter dated 25 March 1998 addressed to you by His Excellency Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus, concerning the plans of the Greek Cypriot administration to deploy Greek combat aircraft at the Paphos military airbase in South Cyprus (see appendix).

I should be grateful if you would have the text of the present letter and its appendix circulated as a document of the fifty-second session of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus

APPENDIX

Letter dated 25 March 1998 from Mr. Rauf R. Denktaş addressed to the Secretary-General

Further to my letter dated 25 January 1998 concerning the Paphos military airbase which has been taken over by the Greek Cypriot administration on 24 January for use by the Greek air force, I would like to bring to your kind attention a new disturbing development regarding the plans of the Greek Cypriot administration to establish an air force which, if pursued, would constitute a serious destabilizing factor both in the island and the region.

In a recent interview published in the Greek newspaper, Eksusia on 18 March 1998, the Greek Cypriot Defence Minister, Mr. Yannakis Omiru, stated, inter alia, that he favoured the creation of a Greek Cypriot air force and that it was now being seriously considered. It is also noteworthy in this context that, according to various sources, including the Greek Cypriot press, the permanent deployment of Greek combat aircraft which will bear the official symbol of the so-called "Republic of Cyprus" as a precaution in the face of possible international reaction, is included in the plans.

In view of the fact that such provocative steps by the Greek Cypriot side, namely, the decision to deploy S-300 missile systems in South Cyprus and the construction of the Paphos military airbase itself for the use and deployment of Greek combat aircraft, have brought the parties concerned to the threshold of new crises in the past one and a half years, recent revelations prove beyond doubt that the Greek-Greek Cypriot military moves are aimed at disturbing the existing military balance in the island the eastern Mediterranean in their favour, at all costs, and in complete violation of the international treaties governing Cyprus.

It will be appreciated that this provocative and highly adventurous stance of the Greek-Greek Cypriot front does not augur well for their intentions and is further poisoning the political atmosphere of the island at a time when goodwill and mutual trust are most needed as we are trying to establish a new basis for dialogue.

The Turkish Cypriot side is well aware of the fact that the efforts of the Greek Cypriot side, both at the military and the political front, is aimed at destroying the internal and the external balances created by the 1960 treaties between the two constituent peoples and the two motherlands respectively, and is determined to stand in the way of this Greek-Greek Cypriot aspiration.

We hope that you will do your utmost in impressing upon the Greek Cypriot leadership to abandon their current confrontational stance and refrain from taking irresponsible steps in the interest of peace and stability at this crucial juncture in the Cyprus question.

(Signed) Rauf R. DENKTAŞ
President